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EXAMINER

GARG, YOGESH C

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 09/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

called
2/14/05-4500
Jenkins & Gilchrist, PC.
Mr. Gray is available.
Mr. Esser also not available.
UFI a mess of for Ms. Martin
secretary for intellectual property
that this application is sent
abandoned - since no reply.
03/25/04
03/26/04
03/26/04
Kevin Gray
UFI - a message
03/26/04

Office Action Summary

Application No.

09/405,807

Applicant(s)

ECKEL, JOHN R.

Examiner

Yogesh C Garg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 04/7/2003 & 06/30/2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-79 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-79 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Amendments C & D. papers # 11 and 13 are acknowledged and entered. Claims 1, 4, 18, 25, 28, 34, 36, 37, 45, 53, 61, have been amended. New claims 73-79 have been added. Currently claims 1-79 are pending for examination.

Response to Arguments

2. With respect to the Applicant's arguments (see amendment D, pages 3-4), and the amendments made in claims 4, 28, 34, and 36 the rejection of claims 4, 12, 28, 34, and 36 under 35 U.S.C. 112, second paragraph is withdrawn.

Applicant's arguments with respect to claims 1-72, filed on 07/16/2002 have been considered but are not persuasive for following reasons:

With regards to the applicant's remarks on claims 1, and 18 , (see amendment pages 11-12) that Dean does not disclose selecting a provider based upon the consumer's preferred providers from a database including a list of preferred providers the examiner does not agree. Dean discloses selecting a provider based upon the consumer's preferred providers from a database including a list of preferred providers, at least see, Fig.3, " Contacts Supplier 1...Supplier 5 " , Fig.4 and col.6, lines 1-67. , " Referring to FIG.4...stored data in a database 400....stores the user data in database 400...user data specifies personal preferences or other information as described above...The processor operates a set of search...searches the user dataindicating personal preferences of information.....correspond to the identified data types such as ...data describing services available from....service providers..". Note:

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Suppliers 1,2...5, listed in Fig.3 correspond to the preferred providers identified by the consumer.

With regards to claims 25 and 37, the examiner observes that the amended claims include the limitation of updating the list of preferred providers chosen by the consumer (see amendment pages 12-13). The new limitation added by amendment to claims 25 and 37 is moot in view of new grounds of rejection as analyzed below.

With regards to claim 45, the examiner has observed that the applicant has attacked references of Dean and Traderonline individually (see amendment pages 13-15). In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Regarding claim 45, the new limitation added by amendment, that is "request having a single set of characters forming a plurality of fields, a first field having a common name as between different requests and second field identifying a type of goods and services ", Dean combined with Traderonline teaches the same (at least see Traderonline, see pages 1,2,3, and 4). Traderonline discloses that a customer can send a request through Internet with a domain name like autotraderonline.com or Boatraderonline.com which include single set of characters forming a plurality of fields like autoraderonline and com and a first field having a common name as between different requests correspond to autotraderonline or boatratderonlin identifying a type of goods and services. The subject, boat or auto identifies the goods/services requested. The domain name does not identify the provider. On Page 1, Traderonline discloses that there are twenty Internet sites covering automotive, aircraft.....motorcycle ... general merchandise categories. On receipt of the customer's request the site searches and provides the name of providers on a web page.

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With regards to claims 53 and 61, the newly amended limitations and arguments (see pages 15-16) are covered and analyzed in claim 45 above.

With regards to the applicant's arguments (see pages 16-17) for claims 13 and 29 that Matsuoka does not show or suggest making the commodity purchaser anonymous, the examiner does not agree. Matsuoka, see col.29, lines 50-54, "...Furthermore, a commodity receiver may be made anonymous to a commodity provider", shows or suggest making the commodity purchaser anonymous.

This is a final rejection.

Claim Objections

3. Claims 25 and 77 are objected to following informalities :

Claim 25 recites the limitation "he" in line 21, page 3 of Appendix: Clean version of amended claims, amendment C, is a typographical error. It should be replaced by the limitation "the".

Claim 77 recites the limitation "the list" in line 1 of the claim 77 on page 10 of the amendment D. There is insufficient antecedence provided for this limitation. As best understood, the examiner would treat claim 77 on further merits reading "The apparatus of claim 75, wherein the preferred providers are automatically updated to reflect the consumer completing a transaction with the provider chosen by the consumer."

Appropriate corrections are required.

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Claim Rejections - 35 USC § 102

4 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.1. Claims 1, 3, 6-7, 9-11, 18, 19, 21, 24, 45, 50-52, 69-70 and 72 are rejected under 35 U.S.C. 102(e) as being anticipated by Dean et al. (US Patent 6,055,512).

With regards to claim 1 Dean teaches a method comprising the steps of maintaining a database of personal information relating to a consumer, the personal information having been previously provided by the consumer and including preferred providers identified by the consumer or by the prior purchases thereby (at least see, Fig.3, "Contacts Supplier 1...Supplier 5", Fig.4 and col.6, lines 1-67. , "*Referring to FIG.4...stored data in a database 400....stores the user data in database 400...user data specifies personal preferences or other information as described above...The processor operates a set of search...searches the user dataindicating personal preferences of information.....correspond to the identified data types such as ...data describing services available from....service providers..*". Note: Suppliers 1,2...5, listed in Fig.3 correspond to the preferred providers identified by the consumer), receiving a request initiated by the consumer and transmitted over a global communication network to a system (at least see, col.5, lines 2-17, "*..The gateway devices connect to appropriate...public switched telephone network 105, or a cable TV network 106,...or an on-line service.....Compuserve @..wide area network 107....Internet 108...*"), selecting, responsive to the received request, initiated by the consumer and based upon the request and

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the preferred providers in the database, at least one name of at least one provider and forwarding the selected at least one name of the at least one provider from said system to said consumer, wherein said consumer is subsequently capable of choosing a provider from the selected at least one provider to communicate therewith (at least see, col.6, line 41-col.7, line 43, "... *The user data specifies personal preferences.....The database also stores a set of service data comprising a list of electronic addresses...for retrieval....leisure interests, travel arrangements, local restaurants.....processor operates a set of search and display algorithms...searches user data....personal references...retrieves data items...displays ..on a user interface....*").

With regards to system, method, and apparatus claims 18, and 45 they recite similar limitations as of claim 1 and are therefore analyzed and rejected accordingly. With regards to claim 45, the amended limitation "request having a single set of characters forming a plurality of fields, a first field having a common name as between different requests and second field identifying a type of goods and services " , Traderonline teaches the same (at least see, see pages 1,2,3, and 4). Traderonline discloses that a customer can send a request through Internet with a domain name like autotraderonline.com or Boattraderonline.com which include single set of characters forming a plurality of fields like autoraderonline and com and a first field having a common name as between different requests correspond to autotraderonline or boattratderonlin identifying a type of goods and services. The subject, boat or auto identifies the goods/services requested. The domain name does not identify the provider. On Page 1, Traderonline discloses that there are twenty Internet sites covering automotive, aircraft.....motorcycle ... general merchandise categories. On receipt of the customer's request the site searches and provides the name of providers on a web page.

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With regards to claims 3, 6-7, 9-11, 19, 21, 24, and 50-52, Dean further teaches that the global communication network is Internet (at least see, col.5, lines 13-16, "*..The service terminal device may connect....wide area network 107, or the Internet 108*"), creating a customized presentation for use by said consumer, said customized presentation containing the selected at least one name of the at least one provider (at least see, col.6, line 41-col.7, line 43, "*... The user data specifies personal preferences.....The database also stores a set of service data comprising a list of electronic addresses...for retrieval....leisure interests, travel arrangements, local restaurants.....processor operates a set of search and display algorithms...searches user data....personal references...retrieves data items...displays ..on a user interface...*)and the customized presentation is selected from the group consisting of: web page, Wireless Application protocol, and other data communication formats (at least see col.4, lines 42-67). Dean also discloses that Service terminal 100 acts as the intermediary between said consumer and said chosen provider (at least see col.4, lines 54-67, and FIG.1). Dean also discloses that the personal information of customer includes privacy instructions and the purchases are done in accordance with the privacy instructions and the privacy instructions include instructions to make information freely available when authorized by said consumer or never available to the chosen provider (at least see col.5, lines 45-col.9, line 31).

With regards to claims 69-70, and 72 Dean teaches that consumer requests can be received from either a desktop device or a hand-held device capable of communicating information (at least see, col.5, lines 2-6, "*..a plurality of user interfaces for example telephone handsets 101, and video monitors 102...*").

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Claim Rejections - 35 USC § 103

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JMS

5 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5.1. Claims 2, 4, 20, 34, 36, 53-55, and 61-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean further in view of Traderonline.com (Press release, " Florida Tops Boat Trader ® Online Activity ", PR Newswire, New York; Sep 22, 1998, pages marked 1, 2, copy of listing of various Internet sites of Traderonline.com as published in 1997, pages marked 3,4,5, Press release, " Seattle Tops RV Trader ® Online Activity ", PR Newswire; New York; Sep 25, 1998, pages marked 6, and Press Release, " Auto Trader ® Online Partners with The Nalley Companies Offering Best Used Vehicle Selection in Atlanta ", PR Newswire; New York; Nov 9, 1998, all extracted from Internet on 04/04/2002), hereinafter referred to as Traderonline).

With regards to claims 2, and 20, Dean teaches a method and system as analyzed in claims 1 and 18. Dean does not teach that said request initiated by the consumer includes a domain name associated with a plurality of domain names each of which includes a common domain name element, said domain name identifying goods/services without identifying a specific provider thereof, said common domain name element is in the form INDEEDSUBJECT.XXX, WHERE "SUBJECT" is a consumer-selected subject matter object and "XXX" is a consumer-selected, top-level extension of domain name. However, Traderonline teaches a system and a method comprising a server for receiving a request from a consumer, transmitted over a global communication network, said request including a domain name

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associated with a plurality of domain names each of which includes a common domain name element, said server further including a name linking module for selecting, responsive to the received request at least one name of at least one provider; and a controller for forwarding the selected at least one name of the at least one provider to said consumer, wherein said consumer chooses a provider from the selected at least one provider to communicate therewith (at least see, *see pages 1,2,3, and 4*). Traderonline discloses that a customer can send a request through Internet with a domain name like autotraderonline.com or Boattraderonline.com where the common domain element is Traderonline, subject is boat or auto and the extended domain name com. The subject, boat or auto identifies the goods/services requested. The domain name does not identify the provider. On Page 1, Traderonline discloses that there are twenty Internet sites covering automotive, aircraft.....motorcycle ... general merchandise categories. On receipt of the customer's request the site searches and provides the name of providers on a web page.

In view of Traderonline, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Dean to incorporate the feature that said request initiated by the consumer includes a domain name associated with a plurality of domain names each of which includes a common domain name element, said domain name identifying goods/services without identifying a specific provider thereof, said common domain name element is in the form INDEEDSUBJECT.XXX, WHERE "SUBJECT" is a consumer-selected subject matter object and "XXX" is a consumer-selected, top-level extension of domain name. Doing so would make the procedure of accessing a website for desired goods/services for the user/consumer simple and convenient i.e. one place shopping site, as suggested in Traderonline (at least see page 1, "*.. Traderonline.....has a complete Internet presence with twenty Internet sites covering the automotive, aircraft.....general merchandise categories...All*

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can be accessed through www.traderonline.com....". Note: Consumer/user can specify Boat Traderonline.com or Big Truck Traderonline.com or Auto Traderonline.com and accordingly he would be guided to any of these providers after accessing www.traderonline.com).

With regards to claims 4, Dean further teaches the step of using a name linking policy to select the at least one provider while utilizing one or combination of subject matter information, demographic information and geographic information (see Fig.3, "...Leisure Sports TV preference... Theatre.... Stocks..... Bonds" correspond to subject matter information from the consumer's database to select and link a provider as already analyzed in claim 2 above. Also see Fig.4 and col.6, lines 3-13, "... The user specific data is categorized into data types, such as ...leisure, business and address book....data services may be obtained").

With regards to claims 34, 36, 53-55, and 61-63, their limitations are covered in claims 2, 4 and 20 above and are therefore analyzed and rejected similarly. With regards to claims 53 and 61, the amended limitations are covered and analyzed in claim 45 above.

5.2. Claims 5, 22-23, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean and further in view of Turner, Rob ("The price is right ", Money; New York; May 1999, extracted from Internet on 04/04/2002).

With regards to claims 5, and 22-23, Dean teaches a method and system as disclosed in claims 1, and 18 respectively. Dean fails to teach the step of using the criteria of price comparison and availability about goods and services offered by the provider in selecting the provider. However, in the same field of selling on the Internet, Turner discloses the step of providing comparative pricing and availability about goods and services offered by the provider (at least see, page 1, last paragraph "...*Fortunately, you can make the Internet do the work for you.....many new price comparison Websites.....*"). In view of Turner, it would have been

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obvious to a person of an ordinary skill in the art at the time of the invention to modify Dean to combine the features of Turner i.e. using the criteria of price comparison and availability about goods and services offered by the provider in selecting the provider. Doing so would help customers to find great deals and bargains on the Internet as suggested by Turner (at least see, page 1, "*..unearth bargains.....With Thousands of Websites.....there are more ways than ever to find great deals.....*") and save money.

5.3. Claims 8,12, 14-16, 35, and 46-48, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean and further in view of Daly et al. (US Patent 5,878,141), hereinafter, referred to as Daly.

With regards to claims 8,12, 4-16, 35, and 46-48, Dean teaches a method and a an apparatus as disclosed in claims1 and 45 respectively.. Dean further discloses storing consumer provided personal information relating to personal preferences and privacy instructions and using these personal information of the consumer to select at least one or more provider (at least see, col.5, line 46-col.8, line 31). Dean does not disclose storing payment instructions using a card number or predetermined payment arrangement, making payment as per instructions such that to complete the transactions using a payment method of the system/card number of the system and re-bill said consumer, tracking and awarding rewards.

However, Daly, in the field of electronic commerce and payments, discloses storing payment instructions using a card number or predetermined payment arrangement, making payment as per instructions such that to complete the transactions using a payment method of the system/card number of the system and re-bill said consumer, tracking and awarding rewards (at least see, abstract, "*..The purchaser database stores information...purchaser...a set of personal payment methods.....goods/services...*", col.3, lines 1-5, "*...for obvious reasons, it*

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is in the purchaser's interest not to reveal his/her bank account or credit card information to the merchant.....", col.4, lines 19-29, "...The processor then computes an intersection...the processor consummates the sale and signs....completed transaction has occurred....", col.5, line 61-col.6, line 24, "...The purchase database stores a set of personal payment methods....credit cards....", col.7, lines 41-47, "... The software-controlled processor is a trusted third-party...acts as an electronic mediator...without revealing confidential account information to either one...", col.8, lines 13-20, "...The trusted processing unit and payment method...without revealing the purchaser's wallet to the merchant.....agreed by the purchaser..", col.8, lines 47-61, "...If the purchaser...this digital signature assures the merchant..." col.10, lines 33-49,' .FIG.4 shows a more detailed ..financial transaction system....establish pricing and discounting information...pricing system might also use information in the subscriber database for features such as coupons or frequent buyer programs... ", col.11, lines 7-22, and col.13, line 66-col. 14, line 9, "... The transaction routing system selects a subscriber...Appropriate credit and debit entries are made in general ledger...These are example system 88 and....submitting a bill to the subscriber and posting the appropriate transaction in the acquiring account (such as a credit card account)....account ". Note: tracking the coupons and frequent buyer programs in the database corresponds to tracking the reward programs.).

In view of Daly, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to combine its features of storing payment instructions using a card number or predetermined payment arrangement, making payment as per instructions such that to complete the transactions using a payment method of the system/card number of the system and re-bill said consumer, tracking and awarding rewards in Dean. Doing so would help the system in customizing and protecting the information displayed by a consumer to the intermediary to complete electronic transactions, as suggested by Daly (at least see, col.3, lines

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49-53) and also to take advantage of reward system, if any, as further suggested by Daly (at least see, col.10, lines 33-49).

5.4. Claims 13, and 29, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean/Daly and further in view of Matsuoka (US Patent 6,038,537).

With reference to claims 13 and 29, Dean/Daly teaches a method wherein consumer provides personal information relating to consumer including personal preferences, payment instructions and privacy instructions, as disclosed and analyzed in claim 8, above. Dean/Daly does not disclose that the instructions also include instructions to complete transactions in an anonymous manner. However, Matsuoka teaches completing transactions in an anonymous manner (at least see, col.6, lines 38-43, "...*The displaying unit 24 displays a list of commodities to be provided while making the name of a commodity provider anonymous....*", col.10, line47-col.11, line 14, col.15, lines 26-31, col.29, lines 50-53, "...*Furthermore, a commodity receiver may be made anonymous to a commodity provider...*", and col.31, lines 16-18). In view of Matsuoka, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to combine its features completing the transactions in anonymous manner in Dean/Daly. Doing so would help to keep the privacy of the consumer intact and protecting him from unwanted mail and offers from merchants, as per the knowledge generally available and also will help to stop human relationships suffering if transactions are not completed, as suggested in Matsuoka (at least see, col.10, lines 47-55).

5.5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dean and further in view of Bi et al. (US Patent 6,311,178), hereinafter, referred to as Bi.

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With regards to claim 17, Dean teaches a method as disclosed in claim 1. Dean does not disclose further the steps of tracking and ranking a satisfaction level of said consumer.

However, in the same field of electronic commerce, Bi teaches tracking and ranking a satisfaction level of said consumer (at least see, abstract, "*...Advantageously, said requirement ...has a search score indicating satisfaction level of said user....ranking of said matching results...*", col.2, lines 12-55). In view of Bi, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to combine its features of tracking and ranking a satisfaction level of said consumer in Dean. Doing so would help the consumers to be able to not only see offers which match their requirements but ones which satisfy them more than they needed and store these merchants names in their personal preference database for future use.

5.6. Claims 25, 32-33, 37, 42-44, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean in view of Meade, II (US Patent 6,405,214 B1).

With regards to claims 25, 32-33, 37, and 42-44 all the limitations are covered and analyzed in claims method claims 1, 3, 6-7, 9-11 above, except for the newly amended limitation, " updating the list of preferred providers based upon one or more providers chosen by the consumer to compete the transaction".

Dean does not disclose updating the list of preferred providers based upon one or more providers chosen by the consumer to compete the transaction.

In the field of same endeavor, that is organizing personal information in a database, Meade teaches the step of updating the list of preferred providers based upon one or more providers chosen by the consumer to compete the transaction (see at least col.2, lines 31-44, "...Cookies can also be used for tracking the path of a user through a websitePerhaps the most prevalent use of cookies is database marketing... Information in cookies can be used to

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compile a database profile of internet use of a specific individual. The profile can include such information as sites visited.....". Note: The web sites visited in Meade, II correspond to the providers chosen by the consumer in the claim. Every time when an user visits a web site the information being stored in the cookies about the web sites visited by user satisfies the limitation of this claim).

In view of Meade, II, It would be obvious to a person of an ordinary skill in the art at the time of the applicant's invention to modify Dean to include the concept of updating the list of preferred providers based upon one or more providers chosen by the consumer to compete the transaction. Doing so would enable compiling a database profile of an Internet user and that database profile can be used for promoting and advertising user specific products, as explicitly disclosed in Meade, II 9see at least col.2, lines 40-55).

5.7. Claims 26-27, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean in view of Meade, II and further in view of Traderonline.

With regards to claims 26-27, the recited limitations are covered in claims 22-23 and are therefore analyzed and rejected as unpatentable over Dean/Meade, II applied to claim 25 and above and further in view of Traderonline on the basis of same rationale.

5.8. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dean in view of Meade, II and further in view of Turner.

With regards to claim 28, the recited limitations are covered in claim 2 and are therefore analyzed and rejected as unpatentable over Dean/Meade, II applied to claim 25 above and further in view of Turner on the basis of same rationale.

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5.9. Claims 30-31, and 38-40, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean in view of Meade, II (US Patent 6,405,214 B1) and further in view of Daly.

The limitations of claims 30-31, 35, and 38-40 correspond to the limitations recited in claims 8,12, 14-16, and 46-48 and are therefore analyzed and rejected similarly.

6.0. Claims 41 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean and further in view of Matsuoka.

The limitations of claims 41 and 49 correspond to the limitations recited in claims 13 and 29 that is of maintaining the anonymity of the consumer and are therefore analyzed and rejected similarly.

6.1. Claims 56-57, 59-60, 64-65, and 67-68, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean/Traderonline and further in view of Daly et al. (US Patent 5,878,141), hereinafter, referred to as Daly.

The limitations of claims 56-57, 59-60, 64-65, and 67-68 correspond to the limitations recited in claims 8,12, 14-16, 30-31, 35, 38-40, and 46-48 and are therefore analyzed and rejected similarly.

6.2. Claims 58 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean/Traderonline and further in view of Matsuoka.

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The limitations of claims 58 and 66 correspond to the limitations recited in claims 13 and 29 that is of maintaining the anonymity of the consumer and are therefore analyzed and rejected similarly.

6.3. Claims 73-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean and further in view of Meade, II (US Patent 6,405,214 B1).

With regards to claims 73-74, Dean teaches a method of maintaining a database of a consumer's personal information, receiving a request from a consumer and selecting a preferred provider from the consumer's database for the consumer's request as disclosed and analyzed in claim 1 above.

Dean does not disclose the step of updating automatically the personal information and updates of the personal information relating to the consumer in the database so that the preferred providers are updated to reflect the consumer choosing a provider from the selected at least one provider to communicate herewith.

In the field of same endeavor, that is organizing personal information in a database, Meade teaches the step of updating automatically the personal information and updates of the personal information relating to the consumer in the database so that the preferred providers are updated to reflect the consumer choosing a provider from the selected at least one provider to communicate herewith (see at least col.2, lines 31-44, "...Cookies can also be used for tracking the path of a user through a websitePerhaps the most prevalent use of cookies is database marketing... Information in cookies can be used to compile a database profile of internet use of a specific individual. The profile can include such information as sites visited.....". Note: The web sites visited in Meade, II correspond to the providers chosen by the consumer in

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the claim. Every time when an user visits a web site the information being stored in the cookies about the web sites visited by user satisfies the limitation of this claim).

In view of Meade, II, It would be obvious to a person of an ordinary skill in the art at the time of the applicant's invention to modify Dean to include the concept of updating automatically the personal information and updates of the personal information relating to the consumer in the database so that the preferred providers are updated to reflect the consumer choosing a provider from the selected at least one provider to communicate herewith. Doing so would enable compiling a database profile of an Internet user and that database profile can be used for promoting and advertising user specific products, as explicitly disclosed in Meade, II 9see at least col.2, lines 40-55).

The limitations of claims 75-77 are covered in claims 73-74 and are therefore analyzed and rejected similarly.

6.4. Claims 78-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean/Traderonline and further in view of Meade, II (US Patent 6,405,214 B1).

With regards to limitations 78-79, they are covered in claims 73-74 and are therefore analyzed and rejected as unpatentable over Dean/Traderonline applied to claims 53 and 61 above and further in view of Meade, II on the basis of same rationale.

Conclusion

7.0. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i) Springer, Elise, " Computer & Media Notes from Underground"; April 19, 1999, extracted from Google.com on Internet on 09/14/2003 discloses that Web browsers store on hard drives the last several pages visited by the user and thus reflects the use of providers chosen by the users (see on page 2 of the article as enclosed).

(ii) Paltenghe et al. (US Patent 6,421, 729 B1) discloses using cookies to track and store information about the provider's web sites visited by the users. Every time a user visits a website it is recorded in the cookie (see at least col.3, lines 4-17) and reflects the updating of the provider chosen by the user.

8.0. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C Garg whose telephone number is 703-306-0252. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Yogesh C Garg
Examiner
Art Unit 3625

YCG
September 15, 2003


WYNN W. COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600